THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.27236 OF 1996

Date: 1-2-2007

Between:
M.Venkata Ramana Kumar ...
Petitioner

And

1. The District Collector/Chairman,
Krishna District Scheduled Caste
Coop. Society, Machilipatnam
and another ..
Respondents

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.27236 OF 1996

ORDER:

The petitioner claims fixation of regular pay scales on par with his juniors. In the affidavit filed in support of the writ petition, it is the petitioner's case that since he was placed under suspension pending criminal case, he was denied the pay scales which were extended to his juniors and that it is only after orders were passed by this Court, in W.P.13228 of 1993, that the petitioner was reinstated into service. Petitioner would claim parity in treatment and to be given the benefit of pay scales which were extended to his juniors.

In the counter affidavit, it is stated on behalf of the respondents, that since the number of employees working as Work Inspectors was far above the sanctioned strength and as the Corporation has preferred an appeal, against the order in W.P.No.13228 of 1993, wherein a status quo order was granted, the petitioner was not entitled to the relief sought for.

Sri K.Vinay Kumar, learned counsel for the

petitioner, would refer to the submissions in the reply affidavit that subsequent to the filing of the writ petition a large number of Work Inspectors had resigned from service and, as a result, the number of persons working as on date as Work Inspectors has come down from 29 to 11. Learned Counsel would submit that the writ appeal, which was pending earlier in which an interim order of status quo was passed, has since been dismissed and both the objections, for extending the benefit of pay scales on par with his juniors or similarly situated persons, are no longer available.

In the absence of any material on record to show that the number of persons, presently working as Work Inspectors has fallen below the sanctioned strength, it is not appropriate that the petitioner be granted the relief which he has sought for in this writ petition. It would meet the ends of justice if the petitioner is permitted to submit a detailed representation to the respondent raising all such contentions as are available to him in law for being granted the benefit of pay scales on par with his juniors and other similarly situated persons. Sri K.Vinay Kumar, learned counsel for the petitioner, would state that the petitioner would submit a representation to the 1st respondent within two weeks from the date of receipt of a copy of this order. It is made clear that in case such a

representation is submitted within the aforesaid period, the 1st respondent shall consider the same in accordance with law and pass appropriate orders thereupon within a period of three months from the date of receipt of such representation.

The writ petition is disposed of accordingly. No order as to costs.

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1-2-2007

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